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VIA ECF

January 7, 2020

Honorable Katherine Polk Failla
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: Claudio Darezzo v. Brasero Restaurant Inc. d/b/a Baby Bo's Cantina and
627 Second Corp.
Case No: 19-CV-6614 (KPF)

Dear Judge Failla:

Our office represents the Defendants in the above action. The Defendants respectfully request an extension of time to respond or otherwise move with respect to the Plaintiff's complaint from January 15, 2020 to February 20, 2020. This is the third request for an extension of time to respond to the Complaint. The Defendants further request that the initial pretrial conference scheduled for January 16, 2020 also be adjourned to February 20, 2020.

The Plaintiff consents to the adjournment.

The Plaintiff and the Defendants jointly request the extension of time because the parties are in the process of trying to resolve this matter without incurring further and unnecessary legal fees and costs. The parties have already reached an agreement with regard to proposed remediations and are working out the remaining settlement terms. Also, Plaintiff's counsel has to be out of state on January 16, 2020.

We sincerely thank the Court for its time and consideration of the foregoing request.

Respectfully submitted,

Estrin & Benn, LLC
By: /s/ Melvyn J. Estrin
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Cc: Donald J. Weiss, Esq. (via ECF)
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Plaintiff initiated this matter on July 16, 2019. (Dkt. #1). Defendants' response to the complaint had originally been due on November 5, 2019, and the initial pretrial conference was initially scheduled to be held on that same date. (Dkt. #5). Both Defendants' deadline to respond to the complaint and the initial pretrial conference have been adjourned on two prior occasions, upon the parties request that they be granted additional time to resolve the matter without incurring additional litigation costs. This represents the parties third request for an extension of the deadline to respond and an adjournment of the initial pretrial conference. This application is GRANTED, but the parties are advised that the Court is disinclined to allow further delays in the progress of this matter.

Defendants shall respond to the complaint on or before February 20, 2020. The initial pretrial conference currently scheduled for January 16, 2020, is hereby ADJOURNED to February 25, 2020, at 10:00 a.m. in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York.

Dated: January 7, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE